



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York 10007

May 28, 2008

**BY FAX: (212) 805-4258**

The Honorable Debra Freeman  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

5/29/08

Re: Schick v. Apker, 07 Civ. 5775 (SHS) (DF)

Dear Judge Freeman:

I am the Assistant United States Attorney assigned to the above-referenced case, a suit brought by pro se plaintiff David Schick against three officials of the Federal Bureau of Prisons. I write respectfully to request a two-week extension, from May 30, 2008 to June 13, 2008, to submit a reply in support of our motion to dismiss. We make this request because plaintiff's opposition papers are voluminous, and because we will be unable to complete our response by the current deadline. Accordingly, we respectfully ask that the Court allow us to file our reply by June 13, 2008.

This is the Government's second request for an extension of time to file its reply papers. Because plaintiff is incarcerated, I have not been able to contact him to seek his consent to this request. However, during the last teleconference in this case, he informed me that he would have no objection if the Government did seek an extension of its time to submit a reply.

MEMO ENDORSED

SO ORDERED: DATE: 5/29/08

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DEBRA FREEMAN  
UNITED STATES MAGISTRATE JUDGE

5/29/08

Debra Freeman

We thank the Court for considering this request.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

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